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SUBJECT: SCRUTINY, THEN CHALLENGES AHEAD FOR CANDIDATES

REF: A. KABUL 0891

[B](#). KABUL 0922

[C](#). KABUL 1140

[1](#). SUMMARY: On May 8 the two-week candidate registration period for the August 2009 elections closed. The Independent Election Commission (IEC) now has in hand registration packages from 44 presidential candidates and 3,324 provincial council candidates. By May 15, the IEC must complete its scrutiny of the registration materials to ensure candidates have complied with filing requirements. During this period, the IEC will allow candidates to remedy problems with applications. On May 16, the IEC will publish the preliminary candidate lists and pass the baton to the Electoral Complaints Commission (ECC) for the next stage of the electoral process - the candidate challenge period. END SUMMARY.

WHAT A CANDIDATE MUST PROVE

[2](#). The constitution and the electoral law set the requirements for eligibility for both presidential and provincial council candidates. In addition to the basic criteria such as Afghan citizenship (ref A), the electoral law requires individuals holding positions in government as appointees, electoral officials, or in control of military or national security assets to resign before registering as a candidate.

[3](#). Presidential candidates must also complete the IEC's "presidential candidate nomination application" as part of the registration process. In addition to biographic information and the signatures of all members of a presidential ticket, the form requires candidates to name a financial liaison officer (ref B) and uphold the IEC's code of conduct for candidates. The form is also the candidates' pledge that they meet the qualification requirements for candidacy - notably, no dual nationality and resignation from any disqualifying position. Providing false information on this form violates the electoral law and could serve as the basis of a challenge to the Electoral Complaints Commission.

IEC SCRUTINY

[4](#). IEC Chief of External Relations Mohammad Farid Afghanzai explained May 4 that the IEC reviewed each packet for potential errors and gaps. If the IEC rejects a candidate's application, it will officially notify the candidate of the reason for the refusal. The IEC has indicated this will only occur if a candidate is clearly ineligible. If an application has not fulfilled the IEC's requirements, the candidate will be given the opportunity to correct the problem before publication of the preliminary candidate list on May 16.

[5](#). The IEC will confirm that candidates have established the required special bank accounts for the campaign (ref B) and

have named a financial liaison officer. The IEC will also confirm that each candidate is registered in only one constituency for the elections. It will compare listed ages of candidates with those found in voter registration (VR) records and confirm all candidates are registered voters.

¶6. The IEC will compare the names and VR card numbers provided in the requisite list of supporters for all candidates with its database. IEC regulations establish that a registered voter can only support one candidate for registration. If an individual is on more than one candidate's list, that person will be removed from all lists on which he/she appears. The review will also identify false VR cards (ref C), because these false numbers will not appear in the IEC's database. Candidates that lack the requisite supporters must provide additional supporters' signatures and VR card information up to the required number.

¶7. Preliminary candidate lists will be posted outside all IEC provincial offices starting on May 16 and will include the name, randomly assigned registration number, photograph and electoral symbol of each candidate. Candidates can review the list for accuracy and correct any errors with the IEC.

THEN, CHALLENGES AT THE ECC

¶8. The publication of the preliminary candidate list also marks the start of the campaign challenge period, under the Electoral Complaints Commission (ECC). From May 16 to 21, any political party agent, candidate or Afghan citizen

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eligible to vote may challenge the eligibility of a candidate. Challenges must be against the specific criteria for candidacy as established in the Constitution and the Electoral Law.

¶9. The ECC can also initiate investigations at its discretion. The IEC has flagged dual citizenship as an issue for ECC review. The ECC will also vet potential candidates against the Disarmament of Illegally Armed Groups list.
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